#539 No. 69. Nattio[1] e-kpepe enee en-dingi
Who-is-treading the-post like the-outcast

se-l-ee-ukwai.
of-the-who-have-the-teeth-extracted.

She is treading against the post like one who is not allowed in the warriors' kraals.

[Unless a girl is well dressed, according to Masai ideas, and anoints her body from time to time with oil, she is not admitted into the warriors' kraals, and becomes a social outcast. She has nothing left her to do but lie on her back and put her feet up against a post. Unlike the old man who has many sons, however (*vide* proverb No. 64), this is considered an undignified position for a maiden.]

No. 70. O-sina likî'ya en-ondo,
The-poorness (*or* trouble) which-take-you where-it-is-long,

dorop el-ol-kisio.
short the-breast-of-a-dead-ox (*or* happiness).

It is better to be poor and live long than rich and die young.

No. 71. Papa ebo eiyio en-gitoiy ejo
Father that who-wishes the-cow which-has-just-borne

nanetum enee enaiboi le'ngijik e-l-ado
and-he-does-not-get-it because weak the-legs of-the-calf

le'n-dito enye.
of-the-daughter his.

The old man cannot get milk from the cow that has recently borne, because his daughter has not looked after the calf whose legs are consequently weak.

[A saying applied by women to one of their number who is notoriously lazy.]

No. 72. [Pashyankat enee en-gurai ewiil eng-ol
Pride like the-child who-is-there the-bit

e-tiplai[2] enye.
of-the-grandmother his.

He is as proud as a child living at its grandmother's.

[Grandmothers are apt to spoil their grandchildren, and a naughty boy is not so likely to be whipped at his grandmother's as at home.]

[1] Old or poetical form for na-nanetia.
[2] E-tiplai is here used for eng-tiplai.

1: Hollis C-5 (ca. 1894-1904) 1905
FL12 Masai FL12

Kitala.

593 Ten tar il-Masena ilgwityok enye, eli nenyewo kitala, neili naalgiri, nenenyewo.

Ten tar el-mukwa e-lgwityioi, naigiri ake kitala, naa ten nenu kitab-itiki elimeniye, nalo ang-aji o-l-pureo la-l-mukwa lenye.

One pe nelku lido idye-lgwityioi naaituno kitala, nemaitiki el-epeny nat, nanu ituro lido-tuligani la-l-pureo lenye naalak.

Nau, ten elimeno e-lgwityioi na-diiki kitab, pl elpilito ajo tiari, nalo ang-aki e-menye, naiakuni na-gitadg naitto e-lgwityioi nenye el-mukwa lenye.

The refuge[1].

If the Masai men beat their wives, some go and seek refuge elsewhere, whilst others suffer and stay at home.

Should a husband beat his wife, but not badly, she will seek refuge in the house of a member of her husband's age.

When the man with whom she has taken refuge returns her to her owner, the latter does not beat her again, for he fears that he will be cursed by the members of his age.

If a woman commits a serious crime, and knows that she will be beaten in consequence, she goes to her father's kraal, and is given an ox, which she takes to her husband and begs forgiveness.

Engida.

964 55 Ten ak el-tuligani la-l-Masena, naiteruani ten a ngarai, arukii el-merrani, arukii e-lgwityioi; nenuki ang-arua lua-l-tuligunak lenye.

One ten etii na-diiki naigwityioki iuua-arua, naiakuni na-arua nanenyikiito na-e-lito ilua.

One ten ak el-tuligani eti ilj El-masena, nanaigwit la-lgaldg e-menye na-nanai nana

Death.

On the death of a child, or a warrior, or a woman amongst the Masai, the body is thrown away[2], and the person's name is buried, i.e. it is never again mentioned by the family.

Should there be anything which is called by that name, it is given another name which is not like that of the deceased.

For instance, if an unimportant person called El-masena (he who is soft, or weak, or gentle) were to die,

[1] Divorce appears to be unknown amongst the Masai.

[2] The body is always taken to the west of the kraal, towards the setting sun. It is laid on the left side with the head towards the north, so that the face looks towards the east. The legs are drawn up to the chest, the left hand supports the head, and the right arm is folded across the breast.

1: Hollis G-5 (ca. 1894-1904) 1905
FL12 Masai FL12

304 752 Naa, ten enia ops 'l-tuligunak pikin in-jilain en-'l-ain le-keper nono ana'-'ata elyioni nalelig im-bwai. Ore tasia etamuaki en-bwata.

Had people formerly extracted the upper teeth, they would not have required the hole in the lower jaw. But now they have become accustomed to the latter.

[126] Tenolil-Masaroi-tuligani lenolowa, nakwenikye aajo: 'Elgirie 'sirkan en-daa.'

When the Masai see a man who has not had the two middle incisors extracted, they laugh at him, and say: 'He eats his food like a donkey.'

En-larnore. Shaving.

308 Elnore il-matruak ol' ligutyak en 'n-gore en-'l-Masaai 'l-laghuny en 'l-papit lon-'ag-enyek le-keper, nepot il-papit lon-'ag-enyek il-chori ten elrage pe erim eng-edge.

Masai elders, women', and children shave their heads and eyebrows, and pull out their eyelashes if they enter their eyes.

Nepot arukl nelnore eli 'l-muiyo en 'n-gitikit en 'n-gulmbi; nepoj kulikae 'l-papit lon-'l-ereakata, nepol kulikae.

They also pull out or shave the hairs of the beard, armpits, and pubes, and some singe the hairs of their skins.

Tani nepurue il-murua, nemelnore il-laghuny natelasia [574] atuni, natitikin 'l-taighae.

If warriors are not in mourning', they may not shave their heads until they have held the feast called e-wuota', and they grow pigtails.

Ore tan ala e-ligutyitai en-gurai, nemelnore ninye e en-gurai enye natelasia natalia

When a woman gives birth to a child, neither she nor the child are shaved until the latter has lost

[113] [291] [295] Sir H. Johnston, in commenting upon this, says (The Uganda Protectorate, p. 805): "It may be this explanation has been invented recently to explain a very ancient custom inherited by the Masai from the Hamitic stock, which was their religion; for centuries [illegible] in a very common practice." Hinde's explanation, however, appears to be very widely spread.

[91] ' This very uncommon practice for women to shave their heads is also followed by the Dinka, Bari, and Latuka (Chamerion, 'Sub-Deities of the Bahr-el-Ghazal Dinka,' Journal of the Anthropological Institute, Vol. xxvi; and Baker, The Albert Nyanza, p. 311, &c.).

* Vide p. 308.

* Vide p. 299.

1: Hollis G-5 (ca. 1894-1904) 1905
FL12 Masai FL12

952 ete, ntin 'ngoyo pe etem
ntiria inne-wtji nutigile.

932 Nolytira ai 'l-ebuak
nutegolom nuki ntishigo 'l-
nitgak, ne 'l-murigumbi, ne
'l-uni. Ore ten ngolom il-
nitgak, nugur te-'e-gitoe ol-gun,
pe etem nutelgur ten ntiashe
e-ligony, nane tjo inni nudgur,
nuljtyo 'nupo.

a ligature round the limb and amputate it.

The surgeons are also able to castrate bulls, rams, and he-goats by either *removing* or crushing the testicles. When bulls are castrated, a cord is fastened tightly round their necks and blood is extracted from the jugular veins to prevent inflammation of the injured parts[1].

195 578 Il-dokota loo-'l-Maasae.

Ol-ashishepe na-nagyuk!
Mikiajepe na-nagyuk!
Mikiajtin nag-ai!
Mikioma ol-dwaro!
Injirtita!
Inijoma!

Mikiajo nag-ai na-dag e-'e-jitai!

Tasudja ndiesia!

Tudumi!
Tasudja ndgwia!
Mikiaaro 'l-kuliayi!

Too ntok il-Maasae 'e-gwe, nemudak nuteleg, naje:

E-wiit!

Masai curses.

May you be clothed with an incurable disease!
May God trouble you!
May a beast of prey devour you!
Slip on the road and fall!
May you become the colour of a corpse!
May God give you a palm of leather! (i.e. may your cattle die, in which case you will be forced to do menial labour.)
Die with those who have been conquered!
Die when the sun sets!
Die in the plain!
May your own people kill you!

When the Masai curse children, they do not call them very bad names. They say, for instance:

Stone!

[113] 926 Ke-gitoreijata oo-'l-Maasae.

Too tjo ol-loo oo-'l-Maasae
na-dibi, pe tji ol-kijore, ore

Masai form of oath.

If a Masai once says something, and it is believed to be a lie, it is

[113] * A description of the operation was given to the Parliament (Society), October, 1905.

1: Hollis G-5 (ca. 1894-1904) 1905
FL12 Masai FL12.

ten ilo: 'Ol-kile le-'ag-enishki ai,' enilpe.

Ore ten ilo e-ligeritylai: 'Ol-kile le-pepe,' enilpe.

tree if he adds: 'By my sister's garment.'

Likewise if a Masai woman adds: 'By my father's garment,' it is true.

Ol-nomai lon-'l-Masaae.

Trial by ordeal among the Masai.

Kolare kulikwe-Masaae ol-nomai.

Ten ilo etaare ligeria ol-lae-tarore, ainik e-merge ainiko el-aigwenani, aitje kakite: 'Ten etaare alle-lae, tasaar eng-ái.'

Ore ten etaare alle-lae, aitó; kake ten eitu eiae, aenitók.

Some Masai have a trial by ordeal.

If a person is accused of having done something wrong, he drinks some blood, which is given him by the spokesmen, and says: 'If I have done this deed, may God kill me.'

If he has committed the crime, he dies; but if not, no harm befalls him.

'Ilenglitilitia.

Songs.

O-ilenglitia le-'ag-tauaae e-'ag-ái.

A prayer to God[1].

Ilaloi'ligeritylai-en-'l-Masaae ji' alaio eng-en-ligeritylai.

Kaiserore, ai'jaki ilipa aenitoke kulie, aityalig el-keer ilji Ol-aiyakiaki eng-eji, aenki Ol-kipukut.

Ten 'ligeritylai eanyalig enyang, eainoe aenesh.

Kenyiakái 'l-lawa enityalgire, aana ilje aa-lasi'arop.

Ore ji' eilip, aainyitilia tauang, aitje:

Masai women do as follows when one of their number gives birth to a child.

They collect together and take milk to the mother; they then slaughter a sheep, which is called, The portion of the hut, or simply The portion.

The women slaughter the animal by themselves, and eat all the meat.

No man may approach the spot where the animal is slaughtered, for it is considered unlawful.

When the women have finished their meal, they stand up and sing the following song:

[1] Masai women often pray twice daily. Men and children usually only pray in time of drought, or when a cattle plague is raging.

J: Bernardi E, M-4 (no date) 1955 FL12 Mauss FL12

54 99 [114] institution of Manu culture. We are much inclined to think on different lines. The office of the prophet is essentially a ritual office. His true power derives from his ritual value. It seems evident from the preceding analysis that Manu political and social structure is primarily based on the age-system. We think that it is solely for this system that the Indian did not entirely succeed in invading the political field and usurping the authority of the elders.

That the function of the prophet is essentially foreign to the age system is a fact which the present analysis may also have helped to make evident. The conclusion arrived at by Fürrer on " the incompatibility " of the Indian institution " with the original culture " of the Manu is one that could only be properly reached after an historical and critical study of Manu ritual and religious institutions and not merely from a survey of their political and social institutions.

XII - THE RELATIONSHIP OF CLAN-MEMBERS [1]

94 577 A strong bond of solidarity is felt by all members of a clan. Such feeling is primarily due, as is natural, to the mere fact of belonging to the same social body. Other factors, such as a more or less equal age and the contemporaneous performance of essential initiation ceremonies give substantial cause for a feeling and bond of that kind. That such a bond is strong and effective is clearly shown by Manu hospitality customs. They show also what form of cohesion springs from the age-system structure. Any clan-member has a right to stay and live at the house of any of his age-mates. While he is a stranger to the place, he is not a stranger to his age-mate for they are members of the same clan. The latter cannot refuse him, otherwise he would be cursed by his own clan. This [116] cursing power of the age-clan is very significant to our present purpose. It shows the authority and power possessed by the clan for keeping its structural cohesion and for defending itself from any disruptive attack. [2]

[1] Hamayon, l. c., p. 47; Evrard, l. c., p. 600; Fox, l. c., p. 168.

[2] Manu hospitality customs are best described by Evrard, l. c., pp. 597 s. Translating, as he does, direct Manu accounts, he writes: " When a Manu goes to other tribals to pay a visit, he does not on his arrival enter a hut unless he knows the owner, for if he belongs, for instance, to the *Aimare* age, he must not enter the hut of one of the *Kishoure* age, as he does not belong to this age. He will ask where the huts of the members of the *Aimare* age are, and when he

2: Bernardi E, M-4 (no date) 1955 FL12 Masai FL12

It is possible to consider that solidarity as a kind of class identity. This identity does not exclude the possible variations and differentiations of class-members arising from individual differentiations of talents and character, from leadership, seniority and social prestige attached to the possession of a great number of wives and a large herd of cattle. The main expressions of that identity are the use of a single name for the whole class and some special marriage regulations which apply to class members and, to some extent, to their children.

Thus, a man may not marry the daughter of a member of his own class. If he fornicates with her he is punished by his own age-mates. "His kraal is destroyed, he is severely beaten, and a number of his cows are slaughtered". Similarly, "if a warrior or boy commits adultery with a wife of a man belonging to his father's age-grade (or class), he is solemnly cursed by the members of that age-grade". (HOLLIS). Furthermore, any class member when a guest of any of his age-mates, has a right to cohabit with his host's wife. MERKER, says that a widow "must not re-marry but she must live with the members of her deceased husband's class". This "sexual communism", as HOLLIS calls it, takes place only among members of the same class. It is limited, of course, by clan and kinship exogamy, which, even for class members, is strictly enforced.

At the performance of the *Emboloset*, *Eopiboto*, *Unoto*, *Ngokerr* names are given to sets instituted. Names assumed at the *Emboloset*, *Eopiboto*, and *Unoto* are temporary, for temporary is the nature of the set thus established. At the *Ngokerr*-proper all previous names are discarded for a single name which is final and applies to the age-class as a whole. It is this name which is handed down to the following generations. Age-class names are, as it were, the milestones by which Masai can order their past into a certain historical perspective. Class names are thus recalled when historical facts are recounted.

Lists of class-names have been recorded by our authorities. It may be of interest to reproduce here some of those lists collected by MERKER, FOX, and FOSBROOKE.[100] FOSBROOKE has attempted

[100] MERKER, *l. c.*, p. 249; FOX, *l. c.*, pp. 450, 462; FOSBROOKE, *l. c.*, pp. 11 s.

3: Hollis G-5 (ca. 1894-1904) 1910 FL.12 Masai FL.12

601 431 Thus, a man gives his brother's wife or his paternal uncle's wife, or his paternal uncle's son's wife a cow, a calf, or a lamb, and the terms of address used by the two, instead of being *per-eiben* or *peipe*, as the case may be, are *pe-lóirêk*, *pe-nake*, or *pe-orpen*; a father-in-law gives his daughter-in-law a calf, and the two call one another *pe-nake*; and a paternal uncle gives his nephew's wife a she-goat and calls her *pe-lóirr*. Similarly a man's first wife usually presents each successive wife with [595] a calf on her marriage, and instead of using the term *ne-ténî* when speaking to one another the two women say *pe-nake*; a woman gives her husband's brother's wife a donkey as a wedding present, and the two women call one another *pe-eighório*; and a mother-in-law selects a cow for her daughter-in-law some months after marriage, when she has learnt to keep house for her husband, and the form of address is *pe-lóirêk*. This method of address is carried even further, and is used between men of the same family. A father, for instance, usually gives his son a bull when the boy is eight or nine years of age, and the two call one another *pe-eitóyóni* instead of *peipe* and *ñ-eyóni*; a paternal uncle makes a similar present to his nephew, and the same form of address is used; an elder brother gives his younger brother a heifer, and the two call one another *pe'n-dooro*; and paternal cousins often use the terms *pe-ero* or *pe-nerepuk* when talking to each other.

The following terms are found: *pe-lóirêk*, the bullock or the cow; *pe-mótiyó*, the bullock; *pe-lóiór*, the cows; *pe-eitóyóni*, the bull; *pe'n-dooro*, the heifer; *pe-lóikyóni*, the bull calf; *pe-nake*, the calf; *pe-ñoo*, *pe-oro*, or *pe-nitiore*, the he-goat; *pe-lóirr*, the she-goat; *pe-lóitóla*, the kid; *pe-lóirr*, the ewe; *pe-nerepuk*, the ram; *pe-eighório*, the donkey; *pe-orpen*, the ewe lamb; *pe-ooo*, the twin kids.

With one exception, a present of this nature is not made, nor are these terms of address used, outside the father's family. Thus, a brother cannot give his sister a heifer so that the two might call one another *pe'n-dooro*, because if the sister marries she will leave the family; a maternal uncle cannot give his nephew a bull and call him *pe-eitóyóni*, and maternal cousins may not address one another by the terms *pe-oro*, etc. The exception to this rule is made when a man marries. He then presents his father-in-law with a bullock and his mother-in-law with an ewe, and the terms of address are *pe-lóirêk* and *pe-lóirr*. These presents have nothing [583] to do with the cattle paid for the bride.

604 578 754 A maternal uncle (*el-epe*) exercises great influence over his nephews, as it is believed that if he were to curse them they would die. He can at any time stop a fight in which one of his nephews is engaged by merely calling on his nephew to desist, as the nephew would be afraid of his right arm withering if he were to [593] disobey. This power is to a certain extent reciprocal, and if a man were to start beating his wife he would have to stop if his maternal nephew ordered him to do 593 so. A father and any old man of the family can also usually stop a fight by telling 626 the combatants to desist, but they are not necessarily listened to. A mother has 754 more influence, and if her son refuses to obey her, she strikes her stomach and says, "You were born in this"; whereupon the son is said to shrivel, and can only recover when his mother makes a rope of fibre which she hangs round his neck.

9:Foxbrooke G-5 (1936-1948) 1948 FL12 Maasi FL12
Kisonko

When the whole of one age has been circumcised, and the endoeuyoo ceremony performed, the members of the completed age feel it is about time to claim some privileges from the prior age. Whether the age immediately above is of the same or a different generation does not appear to affect the rule that these privileges are only granted when the senior age begins to doubt its capacity to retain them by force. The chief privileges are (a) the marking on the shield known as *oserat oogulo* (most important), (b) the spear handle of black wood called *enjata narok*, and (c) the right to hold a dance without seeking permission from the senior morans.

No formal demand is made. The juniors will assume one of the privileges, and when met by a band of seniors will be promptly beaten up and retreat. This process continues till wounds become frequent in these affrays. When the seniors feel that they are on the point of losing their ascendancy they graciously hand over these privileges to the juniors, who may then proceed to the Uasin ceremony.

In the first few years subsequent to circumcision, the new morans have been kept in a position of subjection by the morans of the preceding age or generation. But these latter have now handed over the marks of seniority and entered into eldertaud through the *ngaburo* ceremony. What does this change of status mean to the morans concerned?

Fundamentally it means that having shown their worth in the fights for the coveted insignia, the junior morans are now deemed capable of guarding the country. Their seniors can retire to the more peaceful occupations of marriage and animal husbandry, in the knowledge that their juniors are worthy successors. But their period of junior service has done more than make them efficient warriors; it has moulded them in ways which are to-day more important than the purely military aspect. Both as individuals and as a group they have been taught respect for authority. If as individuals they are found associating with the mature girls who are the perquisite of the seniors, they are beaten; if as individuals they quarrel with a member of the senior grade, the wrath of the whole of that age falls upon them. An example of this is the case of a Moruko of Kibaya who at Kibaya quarrelled with a Kisale of Makuni. The Kibaya Kisale promptly gave the Moruko a good beating. A few days later, having got news of the quarrel, a party of Makuni Kisale appeared on the scene to beat the Moruko. But having heard that the Kibaya Kisale had done the job for them they went home forthwith.

The ceremony of promotion from junior to senior warriorhood, called *eunoto*, is probably the best known and most misconstrued ceremony in the Maasai age grade system. Hollis, Merker and Storm Fox all regard it as the step between warriorhood and eldership, and only Leakey and Hemsted (the latter somewhat vaguely) regard it as a ceremony of promotion.

It is performed by sections or groups of sections. The Kisonyo traditionally perform the ceremony at Mugulat near Mosa, i.e. on the eastern slopes of Mondul mountain, actually in the Arusha district. As many as possible of the age attend, but by no means all. The Arusha tribe

9:Foxbrooke G-5 (1936-1948) 1948 FL12 Maasai FL12 Kisonko

The organization of these deputations is actually a magico-religious rather than a political duty — that is, from our point of view — in the Maasai it is just one aspect of the general theme of ensuring peace and prosperity in the area.

It will also be noted that there are very few duties which might be called executive. The laigwanani does not enforce judgements, or visit homes collecting cattle for the latter — the matters are discussed in open *kraals* and the weight of public opinion compels the individual to act as required. When this fails there is nothing to take its place. This explains why the laigwanak often make unsatisfactory paid headmen. Frequently the action required of a headman has not got this necessary weight of public opinion behind it, and consequently there is no indigenous method of enforcing an order.

The relations between senior laigwanak and their juniors are very lax. It is probable that this is due to the prohibition of raiding and consequent reduction of the occasions on which large-scale communal efforts are required. In the old days when large groups of morans got together for raids the senior laigwanak must of necessity have asserted his position, and the others must have obeyed him, to ensure the success of the venture. With decreased opportunities of asserting his position, it is natural that the power of the laigwanan should itself decrease.

Another tendency to be noted is the manner in which laigwanak move from their areas, more especially during old age. A senior laigwanan of the Kisonko lives at Naberera, one from Engare Nanyuki at Ngarengare, another from Engaruka at Piaya, each at least a hundred miles away from the people they are supposed to lead. This is only another aspect of the break-up of the sections previously recorded, but it does illustrate the loss of old loyalties.

C. Other officials — the launon — magico-religious position — his duties — the *el kere engana* — the lenkoliya.

At the units of promotion necessary, there is chosen an official known as the Launon, — *el nonon* pl. *il nonok*, — or Olonono. He is acknowledged by all the sections which attend the meets, as their ceremonial or religious head. The position is not popular, as the candidate has to be installed by compulsion. After appointment the launon takes on the mode of living of an elder, being given a wife and cattle by his age-set.

The duties of the position are obscure, but as far as is known the launon appears to be a sort of scape-goat for the age. If he flourishes and begets many children, and if his cattle prosper and increase, it is a bad omen for the rest of the age. But his adversity will indicate the age's prosperity.

He must do everything in advance of his age-mates, marry, settle down, make the final payment that binds the marriage. It is as though the senior, standing on the brink of elderhood, send forth the launon as an explorer into the unknown country, so that any bad luck which may be awaiting them shall be focussed on one individual and not on the whole age.

13:Huntingford E-4 (no date) 1953 FL:12 Masai FL:12

from each side watched each other's bodies. Those who then kept still [illegible] side to touch it. With Bantu tribes the Masai sometimes made stock blood brother hood with intent to murder, for they have no blood-brotherhood of their own. Among the Nandi, grass is a sign of peace, and a handful of grass constitutes a plea for mercy recognized by the Masai and those whom they count as more or less equals; the ill-mannered or "enemies," such as other pastoralists, but not ill-mannered Bantu agricultural tribes.

Legal Sanctions

The Masai legal system seems to be less organized than that of the Nandi, and to depend more upon the force of public opinion than on the position and status of the council leader. It appears that only in cases of homicide is there anything like a regular procedure. The Masai distinguish between intentional and accidental homicide, the difference being that for the latter there is no blood feud and the amount of compensation is smaller. The number of blood-cattle paid as compensation, *ol-diaba ol-l-ologi*, "murder cattle," varies, but may be as high as two or three hundred for a man; Hollis says 50 for a boy, and Merker 10 head of cattle and 10 goats and sheep for a woman. Frankenberg gives the figures as 40 for a circumcised man, and 20 for a woman or uncircumcised man. The Il-Arusa are recognized as a group which pays and receives blood-cattle. The murder may be avenged by the dead person's brothers who may try to kill the murderer, and if compensation is not paid, the resulting feud may involve all agnatic kinsmen on both sides. It is not clear whether killing of the murderer makes the avengers give little to compensation. If the victim belongs to the same sub-clan as the murderer, no compensation is paid either side. If they belong to different sub-clans of the same clan, or to different clans, all members of the murderer's sub-clan contribute, and the cattle are divided among the members of the victim's sub-clan after the senior brother has received half the stock. When a settlement has been made, peace is made between the families concerned by an exchange of garments. Reports given details of three methods of dealing with cases of murder. (1) The relatives of the victim take all the murderer's cattle; they hold a council and, after giving a few cattle to certain elders and old women, the brothers, brothers-in-law, and sons may retain one-third to the owner, the rest they divide among themselves. (2) If cattle is not taken at once, the relatives of the murdered send a stick to the relatives of the victim, the acceptance of which implies an agreement to meet and settle the matter, and compensation is arranged, the figure named being 40 head of cattle, with nine more added to symbolize the human body (reckoned by the number of its orifices). (3) Sometimes the relatives of the victim do not take action for two years or more; they then raid the murderer's kraal by night and demand the number they want. For killing a smith, *ol-kumoot*, no compensation was payable, nor was there a blood feud. If a smith killed a Masai, several warriors set out and killed several smiths. Theft (except of cattle) is apparently considered of little account: "If a Masai steals milk or meat or other small things, he is not fined. Grown-up people rarely steal," says Hollis. For cattle thefts, the thieves when caught were fined, severe beatings were also administered.

The general principle that a man is entitled to compensation for a wrong suffered is recognized by all Masai, and this recognition is extended to "foreigners" like Dorobo, provided the people concerned are well known to each other. On being accused, a man may submit to an oath, *ol-maasa*. In some cases a diviner of the type called *ol-gnaiboi* by Merker is employed to find a guilty person. The whole subject of Masai legal institutions needs detailed investigation.

Modern Administration

The Masai political structure has proved even more difficult of adaptation than that of the Nandi, since it lacked the clear-cut patrilineal divisions of the latter. Up to 1910 the chief taken in Kenya was accepted by the Administration as a paramount

845 wife of her husband; often, however, she also names both herself.
D40 Soon after birth the twins receive a leather cord trimmed with cowrie
shells hung around their necks, an expression of personal pride, so
that everyone will immediately recognize the child as belonging to
B01 a pair of twins. To be sure, the Mimi living in a circle of two to
three days' march are well acquainted with each other and are im-
mediately informed of every bit of news through the constant inter-
course between the individual kraals. "Every Mimi coming from
farther away, however, upon seeing a child unknown to him, always
asks first of all: "Who is his father?" The birth of triplets is said not
to occur. After the birth of a deformed or dead child, the young
mother is beaten by the women of the kraal and the father over-
B03 whelmed with abuse from the other men. The woman is punished
because it is assumed that she practiced sexual intercourse in her ad-
vanced pregnancy and through that injured the fetus. But then an
B04 abnormal birth or a stillbirth is also regarded as a punishment of God
for a sin, especially as one directed against a relative, a fellow
lineage or tribal member, be it through inflicting an injury or
B07 neglecting a bond of friendship or love. They admit the killing
of newborn children only in case the child comes into the world
very frail or was conceived out of wedlock by an old, sick man.
There can be no doubt, however, but that they also kill deformed
children immediately after birth, for one never sees cripples among
them.

B09 During the birth process the women of the neighborhood have
assembled together in front of the hut of the woman in childbed, in
order to bring her milk or also flour. First of all the other wives of
• B24 her husband hasten there, as well as the women of her kin, her
lineage or tribe. Good /Ti/ breeding demands it of them and they
comply in order not to be subjected to the mockery and abusive
language of the others. When the child is brought into the world,
women of the kraal sing and dance, in order to thank Ng ai for the
successful birth, for which they receive as an item the father of the
newborn child, which they immediately consume outside the kraal.
The next day a second ox is slaughtered, at the consumption of which
B05 any guest is welcome. In the lineage of the Ki Mimi every newborn

/92 cont./

[91] [92] in a long leather apron reaching to the feet (si gaf, si gafat), which his mother has made for him for this purpose. On the following day all the boys to be circumcised appear before sunrise at a place in the vicinity of a kraal, chosen by the three or four operators needed each time. The warriors also assemble there at the same time in order to be present at the operation. Since the latter is very painful, the coolest part of the day is chosen. The boys pour cold water over each other, in order to become numb. The operation, [92] [89] which is professionally performed by old men, especially Wandorobo, is the following /the following paragraph has been translated from the Latin of the original source/:

[91] [94] After the outer skin of the penis has been drawn back and the inner lamella of the foreskin uncover the back of the glans has been cut around with a knife, the glans lies in an elongated sheath, which is then cut on top so that the glans passes through. Half of the skin that thus hangs far down below the glans is removed, and the rest grows together within 14 days and, after healing, looks like an ovule (1).

1. The following should also be mentioned here /the rest of the footnote has been translated from the Latin/: In order to look cut (circumcised), boys sometimes smear the glans with the juice of an herb of the genus Euphorbia, called "si kaf." The swelling glans prevents the foreskin from sliding forward.

[92] /93/ A finger-long, pointed, and double-edged knife serves as instrument. During the operation the boy sits with legs apart on the [92] leather apron spread out on the ground. After it, the wounded part is washed with milk, which, caught in the apron together with the blood lost, is carried by the circumcised boy, who strides backwards for this, into his mother's hut and is poured on the ground there. As agent to absorb the blood is not used. During the circumcision [92] [93] itself the parents of the boy remain in their hut, for if the latter moans or cries out from the pain, they are punished with abusive

/92 cont./
words and blows by the assembled warriors, because they did not rear their son to have the hardening and self-control necessary for a warrior, while the weakling is reviled for a long time afterwards as ekkwo = coward, or ekkwal = the bad one. After the circumcision all the men of the neighborhood gather in the kraal, where they are regaled with meat and honey beer by the fathers of the sons just circumcised, after the latter have kindled a fire with juniper twigs (Juniperus procera). The festival is called at ngik i ai ajak gaworku, that is, the festival of the circumcised boys. Unbelievable amounts (1)

1. I once observed that my four Masai boys together at an evening meal ate over 40 pounds of lean meat.

of raw or half-cooked meat slightly roasted at the open fire are consumed in the shortest time by the married men and women, whereas the warriors neither eat meat nor drink honey beer, but only take some fresh milk. People joke and laugh and everyone seems to want to outdance the others. The warriors boast of alleged heroic deeds in former wars and discuss the prospects of the sons circumcised that day on their first military expedition, which will perhaps take them to this or that region, where they themselves had made an attack only a short time before. The fathers dream of their sons' future heroic deeds and are happy at the thought of the rich booty with which the budding warriors will augment the personal herds. Suddenly the glances of a few who had just been joking darken and turn toward a distant hut as where does a solitary old man is sitting. They jump up and go toward him with quick steps. The angry expression on their faces mention their rough and abruptly uttered invectives and threats, in which one hears the reproaches that the old man has brought up his son to be a weak coward, who during the circumcision betrayed his pain by a twitching of facial muscles and a half-suppressed groan, which they, however, jestingly compare to the roar of pain of a bull being cut. The old man too quickly fled from their reproaches into his hut, and his attackers vent their wrath on two great bottles of honey beer left standing, which they knock over and

[E8] /El ewas./

[E14] [E2] trample underfoot. The one new warrant bid she wanted /Ei/ to regale guests with it on that day, but no one came to him whom sa showed himself to be a shield. While the old people, as long as [E36] there is something to eat and drink, are only interested in that, the [E33] warriors, already early in the afternoon, start to dance and sing with the young girls and ornate themselves in this way into the night. Not until about ten o'clock do they go back to their kraal, to which the girls presently follow them, after they have begged for a little more milk, which they take along to their lovers. /Ill. 10 appears here./

[E9] The circumcised boys, soon after the completed operation, rest into the laps of their mothers and stayed there for seven days, until a superficial healing of the wound has taken place. In order to hasten this, they are particularly well cared for and are given only milk, blood, and meat. During the following period, until complete [XII] healing, they roam in small bands with bow and arrow -- they do not [E25] use the ordinary bows, but ones only about half as long, made only for this occasion; the arrows used with them have a wax ball on the tip -- through oxype /Ei/ and bows, in order to shoot small birds, the skins of which they string by the backs on a cord, which they place garland-like around forehead and occiput. Between the bird skins the <u>ee ellelin</u> (sing. <u>ee ellell</u>) -- as the newly circumcised ones [E0 1] [E0 2] are called during their convalescence -- stick an ostrich feather on each side of their heads and paint their faces with white clay (<u>ee</u> <u>dawan</u>). On the first day they go out, they slaughter a white goat [E4 2] buck as the oxype. After they have roasted and eaten its meat, they throw the gnawed bones into the fire. This meal is called <u>ol</u> <u>allee l ol lenek</u> (<u>ol allee</u> = the goat buck, <u>ol lenek</u> means the fire with whose kindling they make the fire). Every evening after their excursions they return to the kraal and to the huts of their mothers.

[E1] [E9] As soon as the young girl, who until then has lived in the warrior kraal in the most unrestricted freedom, concludes from certain

[TEXT CONTINUED ON PAGE E6]

[Warrior Ersal]

2214 /Ti.ong./ A few intrepid warriors also
701 leave the kraal, spear in hand, in order to attack the lion, but as a
rule soon return unsuccessful.

721 If peace has lasted for a couple of months, the warriors long for
war and, becoming more and more violent, express their wish to the
speaker (al nigwanat). The warriors of a few neighboring kraals
have already /Ki/ promised their participation and have also pressed
their speakers, who then all together go to the al nyanat with whom
common the war becomes a settled matter, for the waging of which
only the permission of the al nimai is still lacking. The considera-
tions and decisions for undertaking a war expedition, however, do not
always proceed so smoothly, and they are most heated when they have
for a subject the repetition of an expedition that has already ended one or
several times with a defeat for the Wawi. Naturally then the opinions
about the success of the expedition are greatly divided, and the
speakers and leaders often have great difficulty gaining a majority
for the undertaking (1).

• [672] 1. In an extreme case -- if, for example, the war
is urgent on economic-political grounds, because
the opponent threatens to become so powerful that
he will be a serious danger to the Wawi themselves
or a competitor to them in the plundering of other
tribes -- the al nyanat or one of the speakers him-
self be carried away to secure a majority for
the war by calling the vacillating ones al kwanan-
(671) dat, i.e., blockheads. He always achieves the de-
sired result with this, but in the following days
many leave his hut only under the prevention of in-
flammial exertion, in order to avoid assaults on the
part of the excited ones.

721 If they have finally succeeded, however, the leaders of the majority
726 make an end to further debate by invoking the ne Ganan, a sort of
724 Rhili oath. /Rhili, a meadow in Switzerland where the first league
of the three cantons was formed in 1307./ Then every warrior of the
invoked consecrated has to put on immediately the visible sign of the

/931 cont./

437 designate the first one as an ekge or ekes, i.e., war cloth, because the warriors like to dress up in it; the longers they call an ekge hop, i.e., colored cloth, and the poors, ai gawaka.

43 The demand for the individual trade articles varies a great deal. At times the need for one kind is so well supplied that it is either not taken at all or far below its value. Correspondingly, the value of another kind often rises disproportionately high through the heightened demand. A lengthy discussion back and forth precedes every exchange or purchase transaction. As a sign of a settlement, the seller spits on the object. The exchange follows at once; only trustworthy acquaintances are granted credit. The risk in the matter, for credit, does not pass to the buyer until the day after purchase, otherwise immediately.

[438] [439] The creditor proceeds against a nonpaying debtor first by complaint, and if this remains without effect, he helps himself as to property by force, provided that the debtor can comfortably pay, but for some reason, usually one that has nothing to do with the debt, does not want to pay; a need that is also often taken as the only one. Only upon his impoverishment will the creditor become earnestly pressing. Then, if the debtor is incapable of paying, his brothers and half brothers, or if such are not present or are unavailable, his paternal cousins must pay. Whether the former or the latter pay, the repayment of the debt is always arranged so that no great economic hardship arises for the one paying. The creditor, if he does not voluntarily enter upon the arrangement, is forced into it by the public opinion, which is often espoused to violence. An inventoryless collection of an outstanding debt actually never occurs; rather, the creditor almost always displays an extraordinary kind-heartedness and forbearance about it and often lets himself be put off for years or waits patiently until the debtor or his heir is in such a good position that the repayment of the debt will be easy for them. It may also happen that the creditor takes a daughter of the debtor and, after she has reached marriageable age in the service of one of his wives, marries her. Since the creditor, even in this case, [illegible] pays his father-in-law the bride price, the debt remains standing in full and the kinship bond only makes its repayment more certain. The heir is liable for

[illegible]

There is no special punishment for cowardice in war. The warriors, however, mock the coward in front of the girls and make him ridiculous in their eyes. One who makes anyone ill through sorcery pays a head of cattle to the one bewitched. If the latter dies, the sorcerer must pay the fine levied for murder and is himself driven away.

The death penalty is carried out in that a band of armed men attack the delinquent sleeper and kill him with spears. For a war [illegible] routine the execution is carried out by warriors, for an arsonist, by those injured by him. Fines are usually paid in tambaloeum. In general their amount is not fixed for the individual offenses. In the one case this, in the other that is regarded as the norm. Diminished ability to pay because of precious livestock sicknesses or unsuccessful wars naturally lowers the fine. Moreover, if in the district the fellow members of the lineage or tribe of the perpetrator have a preponderance in numbers or power over those of the injured one, the fines are considerably smaller than in the opposite case; then murder is often punished as negligent homicide, or many a time even left entirely unpunished, just like other crimes or misdemeanors. Irresponsibility is regarded as mitigating in some districts, in others not. An attempt is not punished. Self-defense is not mitigating. A degrading punishment exists only for the warriors and consists of cutting off the guilty man's braid-coiffure, as is well known, one of the insignia of his manliness. This punishment is said to be inflicted most frequently for rape committed on a married woman, less often also as additional punishment for theft. Innocent accused persons are recompensed with a goat or a sheep. The mentally ill occupy an exceptional position in the legal world only insofar as they are unable to pay fines. In most cases their people are then liable. The latter therefore keep in bounds the sick person who is inclined toward misdemeanors or crimes. Frequently, too, if an ill guiltful does not succeed in curing him through magic remedies, he is tied to a tree or some distance from the head, to be devoured by predatory animals.